## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

U.S. COMMODITY FUTURES TRADING COMMISSION, et al.

Plaintiffs,

v.

TMTE, INC. a/k/a METALS.COM, CHASE METALS, INC., CHASE METALS, LLC, BARRICK CAPITAL, INC., LUCAS THOMAS ERB a/k/a LUCAS ASHER a/k/a LUKE ASHER, and SIMON BATASHVILI,

Defendants,

TOWER EQUITY, LLC,

Relief Defendant.

CIVIL ACTION NO. 3:20-CV-2910-L

RECEIVER'S UNOPPOSED MOTION FOR CONTINUANCE OF HEARING FOR EMERGENCY "SHOW CAUSE" MOTION TO HOLD GOOGLE, INC. IN CIVIL CONTEMPT

COMES NOW, Kelly M. Crawford ("Receiver") and respectfully requests that the Court continue its hearing set for December 4, 2020 at 9:00 am on Receiver's Emergency Motion Show Cause Motion to hold Google, Inc. ("Google") in Civil Contempt, and in support respectfully show the Court as follows:

1. On November 6, 2020, Receiver filed an Emergency Motion for Show Cause Hearing to hold Google in Civil Contempt (the "Show Cause Motion"). (Dkt. 180.)

2. On November 10, 2020, the Court entered an Order setting the Show Cause Motion

for Hearing on December 4, 2020 at 9:00 am. (Dkt. 183.)

3. In the intervening time, Receiver obtained access to the Tower Equity Domain

Google Suite from the Defendants without Google providing the Receiver the information required

to gain access.

4. Receiver is in the process of reviewing these files to ensure that no files have been

deleted since demand was made upon Google for access to them and, as such, respectfully requests

a continuance of the Court's Hearing on the Show Cause Motion to any date falling after January

2, 2021.

WHEREFORE, PREMISES CONSIDERED, Receiver Kelly M. Crawford respectfully

request continuance of the hearing scheduled for December 4, 2020 at 9:00 am to any date and

time after January 2, 2021, and such other and further relief to which they may show themselves

entitled.

Respectfully submitted

SCHEEF & STONE, L.L.P.

/s/ James Stafford, III

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ATTORNEYS FOR RECEIVER

**KELLY M. CRAWFORD** 

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## **CERTIFICATE OF CONFERENCE**

The undersigned certifies that on December 2, 2020 this Motion was provided to Hayden Schottlaender, counsel for Google, Inc. and Mr. Schottlaender informed me that he is unopposed to the relief sought.

/s/ James Stafford, III
James Stafford, III

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on December 2, 2020 I electronically filed the foregoing document with the clerk of the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court, and the electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record.

/s/ James Stafford, III
James Stafford, III